

Customer No. 24024

PATENT
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JUL 09 2004

In re application of:
Galloway et al.

Examiner: Shahnan Shah, Khatol S.

Serial No.: 09/747,521

Art Unit: 1645

Filed: December 21, 2000

Date of Mailing of Notice of
Allowance: February 11, 2004

For: **METHODS FOR PROTECTING
AGAINST LETHAL INFECTION
WITH *BACILLUS ANTHRACIS***

Confirmation Number: 9991

Attorney Docket No.: 22727/04079

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
FAX: 703-305-4257

**PETITION TO WITHDRAW FROM ISSUE--ISSUE FEE
PAID--TO PERMIT CONSIDERATION OF A REQUEST
FOR CONTINUED EXAMINATION (RCE) HAVING AN
INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.313(c)(2))**

Dear Sir:

Applicant hereby petitions for the withdrawal of the above-referenced application from issue. The issue fee for this case was paid on May 11, 2004.

The application has not yet been scheduled to issue. A petition to revive an unintentionally abandoned application was filed in this case on July 1, 2004.

The reason for the request for withdrawal from issue of this application is for consideration of a request for examination ("RCE") having a supplemental information disclosure statement ("IDS"). 37 C.F.R. § 1.313(c)(2).

An RCE having an IDS is being filed with this Petition. This withdrawal from issue is being requested so that the PTO will be able to consider the references in the supplemental IDS accompanying the RCE.

07/12/2004 AKELLEY 00000008 030172 09757521

01 FC:1460 130.00 DA

{JND0107.DOC;1}

Adjustment date: 07/15/2004
07/13/2004 AMONDAFL 000000081 030172 09747521
02 FC:1460 130.00 DA

Please charge Deposit Account 03-0172, for the petition fee of \$130.00 and the RCE fee of \$770.00, as set forth in 37 C.F.R. §1.17(e) & (h).

It is believed that no additional fees are due with this petition; however, if any additional fees are due in this matter, please charge same to Deposit Account No. 03-0172.

If you have any questions, please do not hesitate to contact Applicant's attorney below.

Respectfully submitted,
CALFEE, HALTER & GRISWOLD LLP

Date:

July 8, 2004

By:

Joan N. Drew
Joan N. Drew
Reg. No. 52,364

[illegible]